DECLARATION AND POWER OF ATTORNEY

As a below named inventor, I hereby declare that

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

"LIGHT-EMITTING DEVICE AND ITS USE"

Case No. <u>09792909-4791</u> , th	ne specification of which	
(check	is attached hereto was filed on Application Serial No and was amended on (if applicable)	as
	ve reviewed and understand the contented by any amendment referred to above	
I acknowledge the dut to be material to the patentabil	y to disclose to the United States Patent ity of this application in accordance wit	t Office all information which is known to me th Title 37, Code of Federal Regulations. 1.56
our invention thereof or more the United States of America is been patented or made the sub- foreign to the United States of than twelve months prior to th	than one year prior of this application, to more than one year prior to this applicate ject of an inventor's certificate issued by America on an application filed by me is application, and that no application for country foreign to the United States of	inted publication in any country before my or hat the same was not in public use or on sale is ion, and I believe that the invention has not before the date of this application in any country or my legal representatives or assigns more or patent or inventor's certificate on this 'America prior to this application by me or my
application(s) for patent or inv	priority benefits under Title 35, United entor's certificate listed below:	States Code, §119 of any foreign
Prior Foreign Applica Number	tion(s) Country	Date
P2000-071445	Japan	March 15, 2000
	ition on which priority is claims:	iventor's certificate having a filing date before
Number	Country	Date
		

⁴ (b) Under this section, information is material to patentability when it is not cumulative to information already of record or beind made of record in the application, and

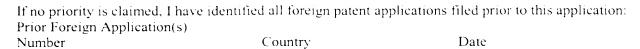
⁽¹⁾ It establishes, by itself or in combination with other information, a primafacie case of unpatentability of a claim; or

⁽²⁾ It refutes, or is inconsistent with, a position the application takes in:

⁽i) opposing an argument of unpatentability relied on by the Office, or

⁽ii) asserting an argument of patentability.

A *prima facie* case of unpatentability is established when the information compels a conclusion that a claim is unpatentable under the preponderance of evidence, burden of proof standard, giving each term in the claim its broadest reasonable construction consistent with the specification, and before any consideration is given to evidence which may be submitted in an attempt to establish a contrary conclusion of patentability.



I hereby appoint the following attorneys, Howard B. Rockman (Reg. No. 22,190), Kevin W. Guynn (No. 29,927), David R. Metzger (Reg. 32,919), Janelle D. Strode (Reg. 34,738), Michael L. Kiklis (Reg. 38,939), Joseph A. Mahoney (Reg. 38,956), Jordan A. Sigale (Reg. 39,028), Jeffrey W. Wheeler (Reg. 39,066), Michael A. Molano (Reg. 39,777), Jennifer H. Hammond (Reg. 41,814), Marina N. Saito (Reg. 42,121), Lana M. Knedlik (Reg. 42,748), Alison P. Schwartz (Reg. 43,863), Christopher P. Rauch (Reg. 45,034), Francisco A. Rubio-Campos (Reg. 45,358), Gregory B. Gulliver (Reg. 44,138) and Brian J. Gill (Reg. P46,727); of the firm of Sonnenschein, Nath & Rosenthal, with full power of substitution and revocation, to prosecute this application and to transact all business in the United States Patent and Trademark Office connected therewith and request that all correspondence and telephone calls in respect to this application be directed to::

SONNENSCHEIN NATH & ROSENTHAL

80th Floor – Sears Tower 233 S. Wacker Drive, Chicago, IL 60606 Telephone 312/876-8000 Facsimile 312/876-3974

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

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